IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.13208 of 2005

Between:

1. Khaja Ahmeduddin, S/o.Late Khaja Abdullah, 68 years, R/o.H.No.3-6-403, Street No.4, Himayatnagar, Hyderabad.

2. Khaja Abdul Rahman, S/o.late Khaja Abdullah, 58 years, R/o.H.No.4-1-177, V.S.t., Tarnaka, Secunderabad.

...PETITIONERS

AND

The Commmissioner, Alwal Municipality, Alwal, Ranga Reddy District.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ order or direction more particularly one in the nature of writ of mandamus directing the respondent herein to consider the claim of the petitioners as directed by the Division Bench of this Court in W.A.No.232 of 2002, dated 14.03.2002 by declaring the action of the respondent herein in not protecting the interest of the petitioners as directed by this court as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India.

Counsel for the Petitioners: MR.C.SRINIVASA BABA

Counsel for the Respondent: MR.POLISETTI RADHAKRISHNA, Standing Counsel for Municipality

The Court at the admission stage made the following:

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.13208 of 2005

ORDER:

This Writ Petition is filed by the petitioners seeking a direction to the respondent to consider the claim of the petitioners as directed by the Division Bench of this Court in Writ Appeal No.232 of 2002 on 14.03.2002 by declaring the action of the respondent in not protecting the interest of the petitioners as directed by this Court as illegal and arbitrary.

When the Writ Petition came up for admission, the learned Standing Counsel for the respondent submitted that as directed by the Division Bench of this Court, the petitioners' representation dated 29.10.2001 was considered and appropriate orders were passed, but he is not able to produce the copy of the order. However, he produced a notice dated 20.06.2005 issued by the respondent considering the representation made by the first petitioner on 17.06.2005 informing the petitioners to approach the competent Civil Court to establish their title. In view of the above, no orders are necessary in this Writ Petition.

The Writ Petition is accordingly closed. However, it is open to the petitioners to ascertain the correctness of the above said notice in appropriate forum in accordance with law. No costs.

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(ELIPE DHARMA RAO, J)

23rd June 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Commmissioner, Alwal Municipality, Alwal, Ranga Reddy District.
2. Two CD copies.